

The victim-offender-overlap and its significance for the criminal justice system.

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Overview

- I. Victimology – a short introduction
- II. Victim-offender-overlap
- III. Reaction of the Criminal-Justice-System

I.1 Victimology

1. Phase: Victim typologies

- Von Hentig (1940; 1948), Mendelsohn (1956), Lamborn (1968)
- Degree of complicity and joint responsibility of the victims

2. Phase: Empirical victim research

- Wolfgang (1958) "Patterns in Criminal Homicide"
 - 66 % offenders and 50 % victims had been registered with the police before the homicide happened
 - 26% „victim precipitation“
- Amir (1971): victim precipitation in cases of rape

3. Phase: Victimization surveys since the end of the 1960s in USA

4. Phase: 1980 Recognition of PTSD by APA

I.2 Victimology

Sociodemographic characteristics regarding victimization

- BKA 2017: 12 months incidence rates by age
 - (Victimizations per 1000 inhabitants)

Offence	Total	16-24	25-34	35-44	45-54	55-64	65-74	> 74
Theft	37,1	86,7	50,6	34,2	36,9	24,2	16,9	16,1
Robbery	14,8	49,7	18,4	12,2	9,9	11,1	4,1	4,8
Bodily injury	48,6	166,8	78,7	42,1	39,8	21,2	8,4	2,8

I.3 Victimology

Damages

- Material/financial damage:
 - Approximately 70% of the victims suffer material damage (Berndt 2017, 132)
- Bodily violation
 - General population; 6-7% (Kilchling 1995, 134)
 - Survey on pupils in schools; 12 month prevalence (KFN 2009, 38)
 - Bodily injury 11,1%; violent offences in general 16,8%
- Psychological damage
 - Wide ranges in surveys from 17% till 88,1% (Kilchling 1995, 134; Baurmann & Schädler 1991, 105)
- Social consequences in family, among friends, neighborhood and job
- Long-term consequences of crime are insufficiently researched (Shapland & Hull 2007)

I.4 Victimology

PTSD – Post-Traumatic Stress Disorder

- Events that can trigger PTSD are experienced by more than half of the normal population over the course of a lifetime
 - Of these, about 25% develop PTSD
 - Of these, approx. 33% are symptom-free again after one year
 - The risk is significantly increased for violent and sexual offenses
 - Repeated victimization increases the likelihood of PTSD
- Healing is favored by
 - Support from the social environment
 - Recognition of victimization
 - Disclosure of traumatization in the therapeutic process
- Consequences of PTSD: fear and withdrawal, but also aggression as e.g. anger, revenge, punitiveness

1.5 Victimology

Victim Needs

- **In general:**
- Restoration of personal social power, status, self-determination
 - The offender should not remain the "winner".
- Restoration of social order and the validity of norms

- **In detail:**
- Protection from further victimization
- Reparation (by the offender), treatment and healing
- Symbolic recognition of injury
- Procedural needs: information, participation, respect, influence
- In detail, there is a great individuality in victims' needs

II.1 Victim-offender overlap

**Of all criminological facts,
to include the strong, patterned relationships between crime, age, sex, race,
socioeconomic status, neighborhood disadvantage, and individual
differences,
perhaps none is also as consistent but less recognized as the link between
offenders (offending) and victims (victimization)**

Jennings/Piquero/Reingle (2012), *On the overlap between victimization and offending: A review of the literature*, *Aggression and Violent Behavior*, vol. 17, pp. 16 – 26, 16.

II.2 Victim-offender overlap

Findings:

- Juveniles and adolescents are disproportionately often affected by delinquency and victimization.
- Juveniles mostly victimize juveniles.
- As delinquency increases, so does victimization, and vice versa.
- For delinquency and victimization similar risk factors exist.

Contexts and Correlations:

- Many criminological theories that are applied to explain criminality also can be applied to explain victimization
- Lifestyle – Visiting delinquency-affected areas
- Direct causality between committing crimes and victimization experiences
 - Strong evidence for victimization early in life.
 - Cycle of violence in schools, neighborhoods, and peer groups
 - Offending delinquents has a lower risk of punishment

II.4 Victim-offender-overlap in prisons

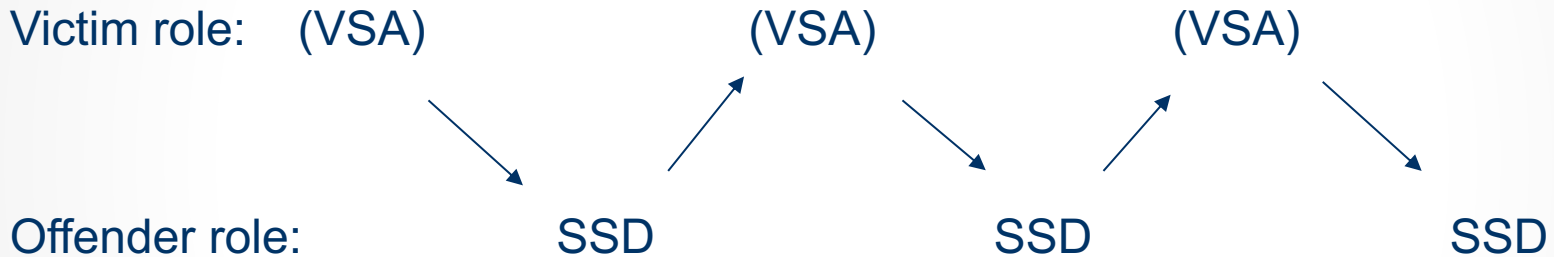
Kind of victimization	Victimizations			Aggressive behaviour		
	Men	Women	Juveniles	Men	Women	Juveniles
Verbal victimization	37,8	40,1	54,4	26,8	25,9	47,7
Psychological victimization	18,4	20,9	29,1	14,4	13,8	34,2
Bodily victimization	25,7	25,6	49,0	17,3	16,5	42,0
Sexual victimization	4,5	3,6	7,1	2,0	1,4	4,6
Theft of property	20,3	26,9	33,6	7,0	5,3	21,5

Bieneck/Pfeiffer (2012, 11) **Four-week prevalence rates (in percent); self reported data.**

III. Reaction of the Criminal-Justice-System

Specialization of victim support agencies (VSA)
and social services for delinquent persons (SSD)

The situation observed from the perspective of (young) delinquents



From Baudrihayé-Gerard (2021) Victims of Violence in detention, one can conclude that

hardly anywhere the chance of enjoying the rights guaranteed by the EU Victims Directive is as bad as in the penal system.

<https://ep2022-dev.tunaweb.com/wp-content/uploads/2021/07/CJPE-Victims-of-Violence-in-Detention-Laure-Baudrihayé-Gerard.pdf>

**Thank you for your
attention!**

Dziękuję za uwagę!